

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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RICHI BRIONES,

Petitioner,

v.

WILLIAM REUBART, *et al.*,

Respondents.

Case No. 3:22-cv-00087-MMD-CSD

ORDER

Petitioner Richi Briones, a Nevada state inmate proceeding *pro se*, has filed a petition for writ of habeas corpus under 28 U.S.C. § 2254. (ECF No. 1-1.) Before the Court is Briones's application to proceed *in forma pauperis* ("IFP"). (ECF No. 3.)

A \$5.00 filing fee is required to initiate a habeas action in a federal district court. See 28 U.S.C. § 1914(a); Judicial Conference Schedule of Fees. The Court may authorize a person to begin an action without prepaying fees and costs if the person demonstrates indigency. See 28 U.S.C. § 1915; LSR 1-1, 1-2. The IFP application must be submitted on the form provided by the Court and include specific financial information and a declaration confirming under the penalty of perjury that the financial information is true. See *id.*

Although Briones submitted the required form, the supporting documents show he is able to pay the \$5.00 filing fee. Thus, Briones does not qualify for a fee waiver. The Court therefore denies his IFP application and will give Briones 45 days to pay the \$5.00 filing fee.

It is therefore ordered that Petitioner Richi Briones's application to proceed *in forma pauperis* (ECF No. 3) is denied.

It is further ordered that Briones must pay the \$5.00 filing fee by May 2, 2022.


It is further ordered that this case will be dismissed without prejudice and without

1 further advance notice if Briones fails to comply with this order by the May 2, 2022
2 deadline.

3 The Clerk of Court is directed to sent Briones *two* copies of this order. Briones
4 must make the necessary arrangements to have a copy of this order attached to the check
5 for the filing fee.

6 The initial screening of Briones's petition under the Rules Governing Section 2254
7 Cases in the United States District Courts and consideration of the motion for appointment
8 of counsel (ECF No. 1-2) are deferred to until such as Briones has fully complied with this
9 order.

10 DATED THIS 21st Day of March 2022.

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MIRANDA M. DU
CHIEF UNITED STATES DISTRICT JUDGE
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